

## **REMARKS**

### **A. The Obviousness-Type Double Patenting Rejection**

The Examiner rejected claims 56-66, 68-73 and 75-82 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 110 of U.S. Application No. 10/780,142.

Concurrently filed herewith is a terminal disclaimer filed in compliance with 37 CFR 1.321(c). Therefore the obviousness-type doubled patenting rejection of claims 56-66, 68-73 and 75-82 is overcome. *See* 37 CFR 1.130(b). Favorable reconsideration is requested.

**B. Conclusion**

In view of the concurrently-filed terminal disclaimer, it is respectfully asserted that all pending claims are allowable. Therefore, Applicants submit that all claims of the pending application are in condition for allowance. Reconsideration of the application and claims is courteously solicited.

Attached is a check in the amount of \$130.00 for the Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent. Should any additional fees under 37 CFR 1.16-1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct such fees from O'Keefe, Egan & Peterman Deposit Account No. 10-1205/SILA:028C4.

In accordance with 37 CFR 1.136(a)(3), the Commissioner is authorized to treat any concurrent or future reply that requires a petition for an extension of time under 37 CFR 1.126(a) to be timely, as incorporating a petition for extension of time for the appropriate length of time, and the Commissioner is authorized to deduct any requisite extension of time fees under 37 CFR 1.16 to 1.21 from Deposit Account No. 10-1205/ SILA:028C4.

The Examiner is invited to contact the undersigned attorney at (512)-347-1611 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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